IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

TUESDAY THE TWENTIETH DAY OF JANUARY TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE MR. **DEVINDER GUPTA**, THE CHIEF JUSTICE
AND
THE HON'BLE Ms. JUSTICE: **G. ROHINI**

W.P. No.15347 of 2003

Between:
P.Yanadaiah Petitioner

AND

1. Govt. of A.P., rep. by its Secretary, Revenue (Endowments-IV) Department, Secretariat, Hyderabad.
2. The Commissioner of Endowments, Govt.of A.P., Tilak Road, Hyderabad.
3. The Assistant Commissioner of Endowments, Nellore.
4. Sri Sita Rama Swamy vari Devasthanam, Allipuram, Nellore Rural Mandal, Nellore District, rep.by its Executive Officer.
5. Mr.A.V.S.Reddy, Director, National Institute of Rural Development, Rajendranagar, Hyderabad.
6. Isanaka Ramana Reddy S/o Sunder Rami Reddy, R/o Allipuram, Nellore Rural Mandal, Nellore district.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the first respondent in permitting sale of land belonging to the 4th respondent temple in favour of 6th respondent otherwise than public auction contrary to Section 80 of Andhra Pradesh Charitable and Hindu Religious Endowments Act, 1987 as illegal, arbitrary and consequently set aside G.O.Ms.No.737 Revenue Department (Endowments-IV) dated 4.12.2001 and as modified by G.O.Ms.No.809 Revenue Department (Endowments-IV) dated 28.10.2002 and also set aside the sale of Ac.0-40 cents of land in favour of the 6th respondent.

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.B. Adinarayana, Advocate for the Petitioner and of the Govt. Pleader for Endowments for the Respondents 1 to 3, and Smt. Indrani, Advocate for the Respondent No.4, and Mr.P.V. Ravindra Kumar, Advocate for the Respondent No.5, and of Mr.N. Subba Reddy, Advocate for the Respondent No. 6.

The Court made the following ORDER :

"At one stage service on respondent No.6 was accepted by Sri N. Subba Reddy whose name is also shown in the cause list and who appeared for 6th respondent in connected writ petition i.e., W.P.no.6935 of 2003.

This public interest litigation questions the alienation of the property of 4th respondent in favour of 6th respondent contrary to the interests of 4th respondent.

It is alleged that consideration of Rs.1,00,000=00 per acre is accepted from 6th respondent.

It is urged tht even consideration received from 6th respondent is less than the consideration accepted from the villagers for a similar land which was accepted at the rate of Rs.3,00,000=00 per acre for the purpose of establishment of hospital and high school.

Since sale deed has been executed in favour of 6th respondent, learned counsel for the petitioner states that interests of justice will be met in case 6th respondent is directed to pay the balance amount at the rate at which the similar land was transferred to the villagers for the purpose of establishing hospital and high school.

Learned Counsel for the petitioner will take out notice to 6th respondent together with a copy of this order.

Call on 17-2-2004. "

ASSISTANT REGISTRAR
// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Secretary, Revenue (Endowments-IV) Department, Govt. of A.P., Secretariat, Hyderabad.
2. The Commissioner of Endowments, Govt.of A.P., Tilak Road, Hyderabad.
3. The Assistant Commissioner of Endowments, Nellore.
4. The Executive Officer, Sri Sita Rama Swamy vari Devasthanam, Allipuram, Nellore Rural Mandal, Nellore district.
5. Mr.A.V.S.Reddy, Director, National Institute of Rural Development, Rajendranagar, Hyderabad.
6. Isanaka Ramana Reddy S/o Sunder Rami Reddy, R/o Allipuram, Nellore Rural Mandal, Nellore district. **(1 to 6 BY RPAD)**
7. Two CCs to the G.P. for Endowments, High Court, Hyderabad (OUT).
8. Two Spare Copies.

KK

Drafted by: KK
Drafted on: 22-1-2004

HIGH COURT

HCJ & RGJ

DT. 20-1-2004

NOTE: CALL ON 17-2-2004

ORDER

W.P.NO.15347 OF 2003

DIRECTION